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A

REPRESENTATION

MADE BY A

COMMITTEE of Seventeen Persons,

As well DIRECTORS as Others,

TO THE

GOVERNOUR and COMPANY

OF THE

Mine-Adventurers of ENGLAND;

CONTAINING A

VINDICATION

OF

Sir *HUMPHREY MACKWORTH*,

FROM THE

Many False and Scandalous Reflections cast on him before a COMMITTEE of the Honourable House of COMMONS, in the Year 1709, by *William Waller*, late Steward of the said Companies Mines.

Read, Approved, and Confirmed by the said GOVERNOUR and COMPANY, at a General Court held at *Stationers-Hall* on *Saturday* the 26th Day of *November* 1720, *Nemine Contradicente.*

Publish'd by Order of the said General Court.

LONDON:

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REPRESENTATION

MADE BY A

Committee of Seventeen Persons,

As well DIRECTORS as Others,

To the

Members of the Company

of

VIRGINIA.

A

REPRESENTATION

MADE BY

A COMMITTEE of Seventeen Perſons, as well Directors as others, to the Governour and Company of the Mine-Adventurers of ENGLAND;

CONTAINING

A VINDICATION of Sir *Humphrey Mackworth*, from the many Falſe and Scandalous Reflections caſt on him before a COMMITTEE of the Honourable Houſe of COMMONS, in the Year 1709, by *William Waller*, late Steward of the ſaid Companies Mines, *&c.*

WHEREAS the Governour and Company of the Mine-Adventurers of *England*, at a General Court held at *Stationers-Hall* the 16th Day of *Auguſt* laſt paſt, did appoint a Committee of Seventeen Perſons, as well Directors as others, being Members of the ſaid Company, with full Power and Authority for the ſeveral Purpoſes therein mentioned, and to affix the Company's Seal as they ſhould find Occcaſion. And whereas at another General Court of the ſaid Company, held at *Stationers-Hall* aforeſaid, on the 23d of the ſame Month, the ſaid Committee were continued till the next Election of a Governour, Deputy Governour and Directors, with the ſame Powers as were given them by the former General Court, and that they, or the major Part of them, ſhould have Power to do and tranſact all ſuch Matters and Things as they ſhould judge to be for the Good and Benefit of the ſaid Company, or to that Effect. In purſuance of which Powers, the ſaid Committee having (*inter alia*) upon very ſufficient Ground, ſeveral Proofs and Vouchers examined by them, given Orders for the amending and proſecuting a Bill in Chancery againſt *William Waller*, late Steward of the Company's Mines, which was formerly exhibited againſt him by Order of a Court of Directors, and afterwards approved at a General Court held at their Houſe in *Angel-Court* on *Snow-Hill*, the 5th Day of *July*, 1709. And whereas upon Information given, that ſome Members of the Company had taken the liberty of accuſing this Committee of Partiality, with reſpect to their Proceedings againſt the ſaid *William Waller*, and for ſparing other Perſons whom theſe Accuſers pretend to be guilty of Frauds and Miſmanagements in the Company's Affairs; this Committee thought fit and reſolved to examine whether they could find by the Company's Books, Officers, or otherwiſe, that any other Perſon or Perſons (beſides the ſaid *William Waller*) and particularly whether Sir *Humphrey Mackworth* had been therein charged, or any o ther

otherwiſe appeared to have been guilty of any Fraud, Deceit or Wrong done to the Company; and for that Purpoſe, and for the greater Diſpatch, they appointed a Sub-Committee to examine the Company's Books, and make a Report of what they could find therein, that materially related to the Premiſes, and particularly with relation to Sir *Humphrey Mackworth*; and the ſaid Sub-Committee having made a Report accordingly, and the ſaid Report being examined and compared with the Company's Books, the ſaid Committee do find, That at a General Meeting of the Subſcribers to the Mine-Adventure, held at *Garraway's* Coffee-Houſe in *Exchange-Alley*, *London*, on *Wedneſday* the 15th Day of *February*, *Anno Dom.* 1698, it was

Reſolved, That Thanks be given to Sir *Humphrey Mackworth* for his great Care and generous Performance relating to the Mine-Adventure Affair.

THAT afterwards Sir *Humphrey Mackworth* had ſo behaved himſelf with regard to the Company, that they thought fit almoſt every Year to acknowledge in the General Courts and Courts of Directors, that he had done the Company good Service, and to return him their Thanks for the ſame.

THAT on the 17th of *March*, 1607-8, the Court of Directors were obliged to poſtpone, and did accordingly poſtpone Payments, which was occaſioned (amongſt other things) by Mr. *Waller's* Non-Performance of his Promiſes with relation to the Mines.

THAT thereupon it was referred to the Directors to examine and report the State of the Company's Affairs, and at a General Court held at *Stationers-Hall* the 6th Day of *May*, 1708, the Directors reported, that they had examined the Company's Books relating to the Receipts and Payments of Money, together with the Vouchers of every Payment, from the 1ſt of *March* laſt, to the 1ſt of the then inſtant *May*; and did find, that the Company's Caſh had been laid out in carrying on the working the Mines, and in paying Money owing on Bonds, Bills, and other Notes, iſſued out for enlarging the Working Stock of this Company; and that there had not been any Miſapplication of any of the Company's Money to any private Uſe whatſoever.

THAT at a General Court of the Governour and Company of the Mine-Adventurers of *England*, held on *Thurſday* the 10th Day of *March*, 1708, (his Grace the late Duke of *Leeds*, the Governour, then preſent) Mr. *Edmund Clarke* reported from the Committee of Accounts, That he, together with Sir *James Hallet*, Mr. *Henry Buck*, and Mr. *William Gardner*, Directors, upon Oath, and Mr. *George Jackſon*, Mr. *Abraham Brown*, and Mr. *Edward Harriſon*, Aſſiſtants, having Power from the Court of Directors, and alſo from a General Court, to examine the Accounts, inſpect the State of the Mines, to call for all Books, Papers or Deeds, and to examine the Officers belonging to the Company, had called for the Books of Accounts, and examined the ſame, and the Officers, and did find, that the Accounts of all Monies received from the Beginning of the Undertaking to the 8th of *July* laſt, had been conſtantly examined and ſigned by the Committee of Accounts for the Time being; and that they had alſo examined the Balances of all the Accounts to the 20th of *Auguſt* then laſt, which were drawn up and ſigned by Mr. *Horne* the Accomptant, and then delivered in to the Company, and found the ſame to be rightly done, and ſhewed how they did agree with the former Accounts; and that the Directors had alſo examined two other Accounts relating to Mr. *Daniel Peck*, and to the Committee of Management, and found that full Power had been given for making the Contracts, and for all the Proceedings and Tranſactions relating to the ſaid Mr. *Peck*; and that the other Account of the Committee of Management appeared to them very fair, and that the Company would be Gainers, and not Loſers, by their Management: And they alſo reported, *That Sir* Humphrey Mackworth, *the Deputy-Governour, had dealt juſtly and honourably by the Company on all Occaſions*: But in regard there had been Application made for that Purpoſe to the Directors, and to that Court, tho' it was by no more than Fourteen Partners, out of Six Hundred Forty Seven, and in a very irregular manner; yet they did deſire, for farther Satisfaction, that ſuch a Number of Partners as that Court ſhould think fit, ſhould be

 elected,

elected and desired to assist in order to bear Testimony with them of the Truth of that Report; and thereupon it was

Ordered, That at the Request of the Directors, five more be added to the said Committee with the said Powers, and that they be elected according to the usual way of Proceedings in such Cases, by way of Ballot; which being ended, it was

Ordered, That Mr. *Wisham*, Mr. *Williams*, and Mr. *Preedy* be, and they were thereby appointed to make a Scrutiny of the Persons duly elected, and to report the same to that Court; and they reported the following Persons to have the Majority of Votes, *viz.*

THOMAS MULSO, *Esq*; } { Mr. WILLIAM PEMBLE.
THOMAS RAILTON, *Esq*; } { Mr. PHILIP WHEAKE.
Mr. JOHN SADLIER.

THIS Committee further find, that by the said General Court it was

Resolved, That the Thanks of that Court be given to Sir *Humphrey Mackworth* for his great Care and Pains to promote the Good and Benefit of this Undertaking, and for his faithful Services to the Company upon all Occasions.

THAT at a General Court of the said Company held on *Tuesday* the 5th of *July*, 1709.

THE Minutes of the last General Court were read and approved;

THE Report of the Court of Directors first drawn up and presented to them by Mr. *Horne* out of the Company's Books relating to the Charge of Smelting, Refining and Reducing at *Neath*, under the Care of Mr. *Hawkins*, and at *Garreg*, under the Care of Mr. *Waller*, was then read, and the Committee have made the following Observations thereupon:

First, THAT the raising of Ore, one Ton with another, under Mr. *Waller's* Management, hath cost the Company 4 *l.* 1 *s. per* Ton, or thereabouts, computing only the Charge of those particular Mines where the Ore was raised; but if the dead Charges of the other Mines be computed, it will come out 4 *l.* 12 *s.* 10 *d. per* Ton.

Secondly, THE Difference between the Smelting, Refining and Reducing, is as follows, *viz.*

	l.	*s.*	*d.*
The Charge of Smelting one Ton of Lead by Mr. *Waller* at *Garreg* is	02	05	00
The same by Mr. *Hawkins* at *Neath*	00	16	09
The Difference in every Ton of Lead in Favour of Mr. *Hawkins* is	01	08	03

Note, That the Freight of the Ore is not included, but then it is considered, that the Difference between the Freight of the Lead to *Bristol* from *Dovey* and from *Neath*, being 15 *s. per* Ton, with the Charge of Insurance, will balance the Freight of Ore to *Neath*.

	T.	*C.*	*Q.*	*lb.*
And Note, The Quantity of Ore Smelted by Mr. *Waller* at *Garreg* to make one Ton of Lead is	2	00	01	14
By Mr. *Hawkins* at *Neath*	1	18	03	10
The Difference in Favour of Mr. *Hawkins* is	0	01	02	04

	l.	*s.*	*d.*
At 4 *l. per* Ton	00	06	1½
Which added to the Difference of the Freight of one Ton of Lead to *Bristol*	00	15	00
Makes the whole Difference to be	01	01	1½

	l.	s.	d.
The Freight of two Tons of Ore to *Neath*, at 9 *s.* 3 *d.* is	00	18	06
Over Balance of the Freight of the Ore	00	02	7½
Beſide the Charge of Inſurance from *Dover* to *Briſtol.*			
Thirdly, The Charge of Refining one Ton of Lead at *Garreg* by Mr. *Waller* is	01	01	04
The ſame at *Neath*, by Mr. *Hawkins*	00	08	10½
The Difference in Favour of Mr. *Hawkins*	00	12	5½

	C. q. lb.
The Loſs of Weight in Refining one Ton of Lead at *Garreg*	1 3 21
at *Neath*	0 1 11

The Difference in Favour of *Neath* is 1 2 10 at 8 *l. per* Ton	00	12	08
The whole Difference in Refining one Ton of Lead in Favour of Mr. *Hawkins* is	01	05	1½
Fourthly, The Charge of reducing one Ton of Lytharge to Lead by Mr. *Waller* at *Garreg* is	00	09	10¾
By Mr. *Hawkins* at *Neath*	00	02	7¼
The Difference in Favour of Mr. *Hawkins* is	00	07	03

	C.	q.	lb.
The Loſs of Weight in reducing one Ton of Lytharge to Lead by Mr. *Waller* at *Garreg* is	04	03	20
By Mr. *Hawkins* at *Neath*	01	02	02
The Difference	03	01	18

	l.	s.	d.
At 8 *l. per* Ton	01	07	04
The whole Difference in reducing one Ton of Lytharge to Lead in Favour of Mr. *Hawkins* is	01	14	07

1*ſt*, By which ſeveral Accounts it appeared, that in caſe Mr. *Hayward* raiſed Sixty nine Ton of Ore *per* Week, according to his firſt Propoſal, which computed at fifty working Weeks, amounts to 3450 Ton *per Annum*.

2*dly*, The Difference in Smelting the ſaid Ore, at two Ton of Ore to one Ton of Lead the firſt Running, amounting to 1725 Ton of Lead, at 1 *l.* 8 *s.* 3 *d. per* Ton, (according to the ſecond Demonſtration foregoing) is Profit made by Mr. *Hawkins* at *Neath*, more than made by Mr. *Waller* at *Garreg*, *per Ann.* in Smelting, 2436 *l.* 11 *s.* 3 *d.*

3*dly*, The ſame Quantity of Lead being refined, the Profit made by Mr. *Hawkins* at *Neath*, above that made by Mr. *Waller* at *Garreg*, at 1 *l.* 5 *s. per* Ton, (according to the third Demonſtration aforeſaid) is 2156 *l.* 5 *s.*

4*thly*, The ſame Quantity of Lytharge reduced to Lead, the Profit made at *Neath* more than at *Garreg*, (according to the fourth Demonſtration, at 1 *l.* 14 *s.* 7 *d.*) is 2982 *l.* 16 *s.* 3 *d.*

The Total of Profit in Smelting, Refining and Reducing the Quantities abovementioned in favour of Mr. *Hawkins* at *Neath*, above Mr. *Waller* at *Garreg*, is 7575 *l.* 12 *s.* 6 *d.*

And the Difference between Mr. *Hayward*'s Management in raiſing Ore at Forty Shillings *per* Ton, one with another, and Mr. *Waller*'s at Four Pounds *per* Ton, on the Quantity aforeſaid, is 6900 *l.*

This Committee alſo find, upon the Report made to the ſaid General Court of the 5th of *July*, 1709, by Mr. *Hawkins*,

That the ſaid Mr. *Hawkins* (*inter alia*) reports, That the Accounts were not made ready for Examination below, the inferior Officers and Pay-Stewards being all directed to be obedient to Mr. *Waller*, who was to examine and paſs all Accounts before entered in the Books, tho' he could not get him to examine or paſs many of them ſince he came to Town.

That the ſaid *Hawkins* had examined the Charge on Mr. *Waller* in *Cardiganſhire*, and found the Sum to amount to 40,104 *l.* 9 *s.* 1 *d.* or thereabouts, in

Money, Stores, and other Goods ſent thither, with the Arrears due to the Miners, and the Account of Ore, Lead, and other Things received from thence, and uſed in or for the Company's Service, with the Stock then remaining, amounted to 25,560*l.* 12 *s.* 11 *d.* or thereabouts, allowed at the higheſt Value: By which it appeared, the Company have been damaged under Mr. *Waller*'s Management in the Sum of 14,533 *l.* 16 *s.* 2 *d.* or thereabouts.

That Mr. *Simon Pryſe* and Mr. *David Jones*, did both of them excuſe their want of balancing their Accounts, by alledging, that ſome of their Accounts were in Mr. *Waller*'s Hands; and ſaid, that they being under the abſolute Direction of Mr. *Waller*, durſt not examine into many Notes given them by him inſtead of Money, nor into many Payments made by leading Men, who were then the general Undertakers of Bargains, and his Favourites and Countrymen, and who were then reputed to have got very rich under him.

That the Schoolmaſter of the Charity-School underſtanding that Mr. *Murgatroid* had paid for his Uſe a Salary of 15 *l. per Ann.* to Mr. *Waller*, whoſe Receipt he had for the ſame, declared that he never received but 5 *l. per Ann.* from Mr. *Waller*, and Half a Crown a Quarter from each Miner, whoſe Children were intended to be taught at the Company's Expence, and not their own.

That there was then wanting to balance the ſeveral Accounts of Stores, Ore at *Garreg*, Coal, *Sturbridge* Clay, old Iron, Bone-Aſhes, Lime and Lime-Stone, the Sum of 5946 *l.* 18 *s.* 6 *d.* which was waſted and expended, and no Account kept thereof; and Mr. *Murgatroid* and others, then informed, that he would have taken the Stores into his Care and Cuſtody, but Mr. *Waller* would not permit, who governed all things with an abſolute Sway, and no Officer durſt interpoſe, at the Peril of his Place.

That by the Account of Smelting at *Garreg*, and Silver Mills in the County of *Cardigan*, from *June* 1704, to 1709, under Mr. *Waller*'s Management, it appeared that the Lead ſmelted had ſtood the Company from 10 to 15 *l.* and ſome 20 *l. per* Ton, over and above the Charges of building and repairing Furnaces, and the Balance wanting as therein ſet forth.

That at the ſaid General Court, the Bill filed by Order of the Court of Directors in the High Court of Chancery againſt Mr. *Waller*, was read and approved, and ordered to be perſecuted with Vigour; and the ſaid *Waller* was thereby diſcharged out of his Office and Employment under the Company.

That it appearing to the ſaid General Court, by the Accomptant's ſaid Report to the Court of Directors, and after hearing what could be ſaid on both Sides, that there was much greater Profit made at *Neath* by Smelting, Refining and Reducing under the Care of Mr. *Hawkins*, than was made at *Dovey* under the Care of Mr. *Waller*; and that in many Reſpects it would be more ſecure and convenient, as well as profitable to the Company, to manufacture all their Ore at *Neath*; it was then

Ordered, That all the Ore belonging to this Company be manufactured at *Neath* until further Order.

This Committee do further find, that the ſaid particular Committee of Accounts, together with thoſe added to them, and elected by way of Ballot, as aforeſaid, made their Report, dated the 14th of *December*, 1709, confirming their former Report, and therein (amongſt other things) aſſert, that the Caſh-Books, containing an Account of all Money received and diſburſed ſince the Beginning of this Undertaking to the ſaid 1ſt of *May*, appear to have been fairly kept, and to have been examined, ſtated and allowed by the Committee of Accounts for the Time being, who have ſubſcribed their Names thereto; and that the ſame have been duly entered by Mr. *Horn* the Accomptant in the Trading Books, the Balance whereof hath been expreſſed in the ſaid Account; and we find only one Bond, No 158. for 100 *l.* and for a Year and a Half's Intereſt thereon paid, for which no Value charged to the Account of Caſh.

And alſo, that it doth not appear to them, on ſtrict Examination of the Company's Books and Officers, that any Favour or Preference in Payments hath been ſhewn to the Governour, Deputy Governour, the Directors, or any of them or their Friends.

WHICH ſaid Report was ſigned by *Edmund Clark*, *Philip Wheake*, *George Jackſon*, *Abraham Brown*, *John Sadler*, *Henry Buck*, and *Edward Harriſon*, who are all Merchants of great Reputation and Skill in Accounts.

THAT at a General Court held on *Wedneſday* the 1ſt of *February*, 1709-10, ſeveral Reſolutions of the Court of Directors upon the Report of the Committee therein mentioned, were read and approved, amongſt which were the following.

Reſolved, That the Committee elected by way of Ballot, at a General Court, to audit the Company's Accounts, have faithfully diſcharged the Truſt repoſed in them for the Service of the Company.

Reſolved, That the Company's Affairs in *London* and at *Neath*, appear from Time to Time to have been managed and carried on by the Governour, Deputy Governour, Directors and Officers for the Time being, with great Prudence, Conduct and Fidelity; and that the original Cauſe of the Company's Misfortunes is ſolely owing to the Miſmanagement and Miſrepreſentations of Mr. *Waller*, late Steward at the Mines.

Reſolved, That it appeareth to this Court, that the Smelting and Refining hath been performed much cheaper by Mr. *Hawkins* at *Neath* than by Mr. *Waller* at *Garreg*, and that it will be highly prejudicial to the Company to loſe the Advantage of Smelting at *Neath*.

Reſolved, That it appears to this Court, that the Affair of Mr. *Peck* hath been tranſacted with full Power, and confirmed under the Corporation's Seal, and no private Gain or Advantage hath been made by the Governour, Deputy-Governour, Directors, or any of them, or by any of the Officers of this Company; and therefore the former Court of Directors having allowed and paſſed the ſame, and the ſaid Account being entered accordingly in the Company's Books, it will be ineffectual and Loſs of Time, to be at any farther Trouble and Expence about that Affair.

Reſolved, That it appears to this Court, that the engrafted Stock was made by the Court of Directors and General Court, for full and valuable Conſideration, and that Sir *Humphrey Mackworth* hath dealt juſtly and honourably by the Company in that as well as all other Affairs; and that there is a Condition in the Settlements, whereby all the beſt Mines will be forfeited to Sir *Humphrey Mackworth*, in caſe the Engraſtment be not made good to him according to the Agreement, and therefore that Article ought to be left wholly to Sir *Humphrey Mackworth*, who declares his Readineſs to make the beſt Uſe of it he can, for doing Juſtice to all Parties concerned, and for the General Good of the Creditors of the Company.

AND this Committee further find, That at the ſaid General Court of the 1ſt of *February* 1709-10, the Governour and Company confirmed all the ſaid Reſolutions, and then

Ordered, That the Thanks of this Court be given to his Grace the Duke of *Leeds* Governour, Sir *Humphrey Mackworth* Deputy-Governour, and the Court of Directors, and the Committee of Accounts, for the great and faithful Services they have done this Company.

And the ſaid Reſolutions and Proceedings of the General Court were ordered to be printed and publiſhed for the Satisfaction of the Creditors and Partners.

THE

THE Committee do further find, by the Books and Deeds belonging to the Company, that Sir *Humprey Mackworth* hath been a Benefactor to the Company in the Particulars following, *viz.*

1ſt. By granting or procuring an additional Term to the Leaſe of the Mines, then eſteemed of great Value.

2dly, By reſigning divers Privileges to the Company, which had been purchaſed by him from *Edward Pryſe*, Eſq; Heir of Sir *Carbery Pryſe*: As for Inſtance; *1ſt*, Sir *Carbery Pryſe* had the Nomination of all Officers of the Company. *2dly*, Sir *Carbery Pryſe* had one Vote for every ten Shares, amounting to 170 Votes. *3dly*, Sir *Carbery Pryſe* and his Heirs had the Right of naming a Deputy by themſelves, as perpetual Governours.

ALL which Privileges purchaſed by Sir *Humprey Mackworth*, were voluntarily yielded up for the Service of the Company; and Sir *Humprey Mackworth* alſo procured a Conſtitution to be eſtabliſhed for the Management of the Mines, extracted from thoſe of the beſt Companies in the Nation; and ſpent his Time and Money to reconcile the Differences amongſt the old Partners, as being made Umpire thereof; and thereby, and by a farther Propoſal for that Purpoſe, contributed to make the Company's Shares very valuable, which were before eſteemed of little or no Value.

3dly, By procuring 10,000 *l.* in Mine Lottery Tickets to be drawn for the Company, by which the Company raiſed above 16,000 *l.* on Sale thereof.

4thly, By granting ſeveral Mines to this Company, and amongſt the reſt, the *Goginian* Mines, which hold forty Ounces of Silver in a Ton of Lead, and the Mines of *Cumuſtwith* and *Eſtimteem*, and about twenty Mines more, with large Liberties, and without any other Conſideration, than the Confirmation of a former Agreement; and it has been by theſe Mines that the Company have been enabled to keep together, and bear the publick Expences, and act as a Corporate Body, in order to preſerve their Charter.

5thly, By poſtponing the Intereſt Money for the engrafted Stock, amounting to 10,132 *l.* 12 *s.* 3 *d.* reduced according to Act of Parliament to 8,666 *l.* 1 *s.* 10 *d.* which he would not receive, by reaſon the Mines did not produce ſuch conſiderable Profits as were expected.

6thly, By lending Money to the Company from Time to Time, to help to carry on their Undertaking, amounting to 14000 *l.* and upwards, of which 8968 *l.* 14 *s.* 6 *d.* remained unpaid at the Time of ſtopping Payments.

7thly, By naming a Proxy to attend at all the General Courts in his Abſence, on purpoſe to make up 1500 Shares, for preſerving their Charter, and to enable the Company to act and carry on their Undertaking to the beſt Advantage, notwithſtanding the ill Uſage he had met with from ſome of the Company.

AND the Committee do further find, That ſoon after the ſaid laſt General Court, Sir *Humphrey Mackworth* went down to *Cardigan*, to ſtand as one of the Candidates for a Member of Parliament for the ſaid Borough; and whilſt he was there at the ſaid Election, *viz.* on the 13th Day of *February*, 1709-10, (which was but twelve Days after the ſaid Reſolutions in a General Court) a Petition was exhibited to the then Honourable Houſe of Commons, containing divers Complaints againſt the ſaid Deputy-Governour and Directors, by Mr. *Waller* and Eighteen private Partners; which was referred to a Committee, and upon which a Report was made without hearing Sir *Humphrey Mackworth* before the ſaid Committee; and at the then next enſuing Parliament, begun and holden at *Weſtminſter* on the Twenty-fifth Day of *November*, 1710. an Act of Parliament was made, intituled, *An Act for Relief of the Creditors and Proprietors of the ſaid Company*, &c. whereby (amongſt other Things) it was enacted, That, for farther Satisfaction of the Creditors, the firſt Court of Directors after the paſſing of the ſaid Act, ſhould have Power to appoint an able Accomptant, and with his Aſſiſtance, to inſpect the Proceedings of the former Court of Directors; and that no Perſon ſhould be elected that had been Deputy-Governor or Director before. And to avoid the Expence and Delay of any tedious Suits that might poſſibly happen, it was Enacted, That they ſhould have Power to examine the former Deputy-Governour, Directors and Officers upon Oath, and in caſe they found any Fraud committed by all or either of them, or any Sum or Sums of Money due on Account to the Company, to ſeize their Shares for the ſame.

AND the ſaid Committee do find, That the firſt Court of Directors, together with Mr. *Anthony Forty*, as the Accomptant appointed by them, have made a Repreſentation, which is intituled as followeth, *viz.*

"A REPRESENTATION of what hath been done by the Governour, Deputy-Governour and Directors of the Company of Mine-Adventurers of *England*, in purſuance of the Act of Parliament for Relief of the Creditors and Proprietors of the Company of Mine-Adventurers, by eſtabliſhing a Method for ſettling the Differences between the Company and their Creditors, and for uniting them in order to an effectual Working the Mines of the ſaid Company, *Anno nono Annæ Reginæ* 1711.

IN which Repreſentation, after ſetting forth ſeveral Matters relating to Elections of a Governour, Deputy-Governour, Directors, Accomptant and other Officers, and touching the Claims and Liſt of Partners, are the following Words, *viz.*

"THE Difficulties in ſettling the Claims were great and many, and ſo much Time and Application was required therein, and the Company's Books were ſo conſtantly in Uſe in that Service, that there was no Poſſibility of going through the Examination of the Hiſtory of the Management of the Company's Affairs, until the Work of ſettling the Claims was over.

THE Examination of all the Books and Papers of the Company, from the Year 1698, to the Year 1711, is a very great Task, and requires great Attention.

BUT whilſt this is doing, and before it can be thoroughly perfected, we conceive it may not be amiſs to lay before the GOVERNOUR and the General Court, a Collection of ſeveral Matters that have been chiefly under the Management of Sir *Humphrey Mackworth*, and by which great Sums have been expended or loſt, or in Danger of being ſo, to the great Detriment of the Company.

	l.	*s.*	*d.*
Mr. *Daniel Peck* ſtands charged on the Company's Books with	12,101	05	4
The Account of Law Charges in Suits againſt Sir *Thomas* (now Lord) *Manſel*, amounts to	902	15	8
The Charge of Mr. *Hawkins*'s Shrievalty, the better to obtain Succeſs in the Suits againſt Sir *Thomas Manſel*	287	04	5
The Charge of the Buildings at *Neath*, notwithſtanding a Yearly Rent of 200 *l. per Annum*	2,215	01	4¾
The Charge of the Charter amounts to	385	12	4
Sir *Thomas Mackworth* ſtands charged with 7291 *l.* 13 *s.* 7½ *d.* for Stock of the Company by him diſpoſed of and not accounted for, but pretends, that the Money ariſing thereby was paid into the Hands of Mr. *William Shiers* or Sir *Humprey Mackworth*	7,291	13	7½
	23,183	12	8¾

The Mines ingrafted into the Company's Stock, coſt Sir *Humphrey Mackworth* 7000 *l.* and for this he takes to himſelf 1002 Shares

And 31,250 *l.* of the Principal Money

UPON which Repreſentation this Committee do obſerve,

1ſt, THAT notwithſtanding the ſettling of the Claims, Mr. *Anthony Forty*, the then Accomptant, might have made a Repreſentation within the Time appointed, of a Year and half, purſuant to the Directions of the Act of Parliament, and diſcovered, by the Company's Books, all, or at leaſt ſome Frauds, Deceits or Wrongs done to the Company; for that in the very firſt Day's Examination, it appeared to this Committee, that the ſaid *William Waller* hath been charged by the Governour and Company with many Frauds, Embezilments, Miſrepreſentations and Miſmanagements, to the manifeſt Prejudice of the Company; of which not the leaſt Notice has been taken by the ſaid *Anthony Forty*; ſo that the ſaid firſt Paragraph ſeems to be incerted only for an Excuſe, and to evade the Diſcovery of their Malice againſt Sir *Humphrey Mackworth*,

worth, and the rather, becauſe there has been no Diſcovery of any Fraud committed by him ever ſince.

2*dly*, THE Committee conceive it to be very hard that Sir *Humphrey Mackworth* ſhould be mark'd out in particular, for the Blame of any Expences or Loſſes which happened to the Company whilſt he was Deputy-Governour, when every one of the twelve Directors were concerned in the Management as well as he: And it appears, that many of the ſaid Tranſactions were done during his Abſence in the Country.

3*dly*, IN all the Articles of the Repreſentation above-mentioned, there is no Fraud, Deceit or Wrong mentioned, but only Expences or Loſſes, which do and will often happen in all Companies whatſoever: Neither do they go ſo far as to ſay, that the ſaid Expences or Loſſes happened by any Miſmanagement of the ſaid Sir *Humphrey Mackworth*, or any other particular Perſon whatſoever.

4*thly*, IT appears moreover, that all the Tranſactions above-mentioned were done by Order of the Courts of Directors, without one negative Vote, and were afterwards confirmed by the Company in General Courts, and therefore ought never to be remembred afterwards to the Diſreputation of Sir *Humphrey Mackworth*, or the Directors, or any one of them.

5*thly*, THE Committee obſerve alſo, That upon the ſtricteſt Examination of the Books and Officers of this Compony, it does not appear that Sir *Humphrey Mackworth* has been ſued for any of theſe, or any other Matter or Thing whatſoever, (unleſs for Diſcovery in the Cauſes of *Vaughom* and *Powell*) in ten Years time; which, after a very vigorous Proſecution in Parliament, and ſuch Partiality as appears in this Repreſentation, cannot well be accounted for, but that the ſaid Accomptant and Directors knew him to be entirely innocent.

6*thly*, THE firſt Item about the Committee of Accounts and Mr. *Peck*, is juſtified by the Orders and Reſolutions of the Governour and Company, held at *Stationers-Hall*, *London*, on the 10th Day of *May*, in the Year of our Lord 1708, and on the 1ſt of *February*, in the Year of our Lord 1709. Which Reſolutions and Orders have been above recited and ſet forth.

THE ſecond and third Items relating to the Law Charges, and Mr. *Hawkins*'s Shrievalty, appear to be juſtified by Order of the Governour and Company, in a General Court, the 16th of *May*, 1705, on a Petition from their Workmen at *Neath*, ſome of whom had been preſſed for Soldiers, and the reſt forced to abſcond in the Mountains, to the great Damage of the Company, and by ſeveral ſubſequent Orders of ſeveral Courts of Directors, during the great Conteſt with the *Manſels*, whereby the Company protected their Workmen, and preſerved their Works.

THE Fourth about the Buildings, is juſtified by divers Orders of the Court of Directors, and of a General Court, dated the 13th of *May*, 1703; and the Committee of Accounts have certified to a General Court, the 1ſt of *February*, 1709. That the greater Part of the ſaid Charges did conſiſt in Building and Repairing of Furnaces, for Smelting, Refining and making Red Lead, and in *Stirbridge* Clay, *Windſor* Bricks, and other Materials for thoſe Uſes.

THE ſaid Committee in the ſaid Report do alſo uſe theſe Words, *viz.* "As "to 4938 *l.* 10 *d.* Goods wanting under the Management of Mr. *Waller*, we "recommend that he be compelled to give an Account how they have been ex-"pended, or obliged to make good their Value.

THE fifth Item, relating to the Charges of the Charter, is juſtified by the Order of many General Courts, and Courts of Directors, and was under the Management of *Thomas Bretton*, Eſq; one of the Directors, and a ſtanding Counſel for the Company.

AS to the ſixth Item, relating to Sir *Thomas Mackworth*, the Committee do find, that Sir *Thomas Mackworth* was one of the Committee of Management, who had Power to ſell the Company's Shares, to raiſe a further Stock; and that the ſaid Shares were transferred to the Name of Sir *Thomas Mackworth*, and from his Name the ſame were transferred to divers Truſtees, who, during Sir *Thomas*'s Abſence out of the Kingdom, had neglected to make their Claims, and thereby the Shares being forfeited, the Company have had the Benefit thereof, by ſinking the ſame in the general Diviſion of Shares.

AND

And we further find, that the Accounts of Sir *Thomas Mackworth*, and the Committee of Management, have been allowed by Order of a General Court, the 10th of *March*, 1708, and by an Affidavit of Mr. *William Shiers*, That the Balance being 9673 *l.* 11 *s.* and 1001 *l.* 13 *s.* 7 *d.* was paid and placed in the Iron Cheſt, and the ſaid Account was approved by a general Court held the 1ſt of *February*, 1709. as aforeſaid, and no Suit has been commenced againſt Sir *Thomas Mackworth* for the ſame ever ſince.

7thly, This Committee obſerve, That in caſe Matters tranſacted by every Court of Directors were to be imputed to the ſaid Sir *Humphrey Mackworth*, as Deputy-Governour, alone, then he might juſtly expect it ſhould likewiſe be taken notice of, that during his Management, there were conſtant Dividends of 6 *l. per Cent.* amounting to 7500 *l. per Ann.* to the Year 1708, and no Dividends at all have been made ever ſince.

8thly, As to the Obſervation about the ingrafted Mines, the Committee do find that the Repreſentation is not true; for it appears by the Deeds and Books of the Company, that Sir *Humphrey Mackworth* gave the Company about twenty-eight Mines, and only one of them, called *Eskirfraith*, coſt 7000 *l.* as is therein mentioned; and it appears by one Receipt ſigned by Sir *Thomas Powell*, *William Pugh*, and *William Powell*, Eſqs; Truſtees for *Edward Pryſe*, Eſq; and acknowledged by the ſaid *William Powell*, that Sir *Humphrey Mackworth* had paid 16,440 *l.* 13 *s.* 10 *d.* for his Intereſt in the Mines: And it farther appears, that he lent the Company 8968 *l.* 14 *s.* 6 *d.* to carry on their Undertaking; which amounts to 25,409 *l.* 8 *s.* 4 *d.* beſides ten Years Intereſt, and a great many leſſer Sums for the other Mines; for all which it does not appear that Sir *Humphrey Mackworth* was ever paid, or for the other Mines, or for his Expences about the ſame: And it does not appear to be true, that Sir *Humphrey Mackworth* took to himſelf the ſaid ingrafted Stock; for it appears, and the ſaid Accomptant muſt have known, by the Company's Books, that the ſame Stock is entered therein to the Account of Sir *Humphrey Mackworth* and new Proprietors, to whoſe Uſe the ſame were granted by the Company, under their Corporation Seal, and conſiſt of a great Number of Perſons, whereof ſome are, the late Duke of *Leeds*, Sir *Thomas Mackworth*, *Samuel Trotman*, Eſq; Mr. *Richard Curtis*, *William Player*, Eſq; Serjeant *Comyns*, *Thomas Bretton*, Eſq; and others, as we are credibly informed: All which ſhows what little Care was taken by the Accomptant (tho' on his Oath) to make a true Repreſentation of the State of the Company's Affairs, when ſuch large Liberties were taken to come at and ſully an innocent Perſon's Reputation; while at the ſame Time no Notice was taken of the Orders againſt *William Waller*, nor Care taken to proſecute him either in Law or Equity, for the many Miſmanagements, Miſrepreſentations, Frauds and Embezilments with which he is charged on the Company's Books, and for which a Bill was filed againſt him, by Order of the Company, above ten Years ſince, and neglected 'till it was lately reviv'd and amended by Order of this Committee.

The Committee further obſerve, That whilſt the ſaid Accomptant, *Anthony Forty*, complained of Expences by the former Directors, he did not take Notice that he himſelf claimed a Salary of 520 *l. per Annum*, which was much more than he deſerved, or was given before to any other Accomptant, who did the Company more Service, in the Judgment of this Committee: And they obſerve, the Company have been very great Sufferers by his, the ſaid *Anthony Forty's*, Miſmanagement and Miſrepreſentations.

Then the ſeveral Reſolutions of the Sub-Committee were read, and unanimouſly agreed to by this Committee, and are as followeth, *viz.*

1*ſt*, **Reſolved**, That according to the ſolemn Determination of the Company on the 1ſt of *February*, 1709, the Company's Affairs in *London* and at *Neath* (while Sir *Humphrey Mackworth* was Deputy-Governour) appear alſo to them to have been managed and carried on with great Prudence, Conduct and Fidelity; and that the Cauſe of the Company's Misfortunes is chiefly owing to the Miſmanagement and Miſrepreſentations of *William Waller*, late Steward of the Company's Mines.

2*dly*, **Reſolved**, That the Petition or Complaint exhibited to the Houſe of Commons on the 13th Day of *February*, 1709, againſt the ſaid Sir *Humphrey Mackworth*, was not ſo exhibited by Order, or with the Privity of the Company or Court of Directors, but by the ſaid *William Waller* and a few private Partners, out of Six hundred and forty odd Members, during Sir *Humphrey Mackworth*'s Abſence in the Country, and contrary to the ſolemn Determinations of the Governour and Company in a General Court, on the 1ſt Day of the Month of *February* aforeſaid, being no more than twelve Days before.

3*dly*, **Reſolved**, That at the Time Sir *Humphrey Mackworth* was charged, as aforeſaid, before a Committee of the Houſe of Commons, for having got 80,000 *l.* of the Company's Money in his Hands, and that a Bill was thereupon brought into the Houſe of Commons, to reſtrain him from ſelling his Eſtate, and leaving the Kingdom with the ſaid Money; it appears by the Books of the Company, that the ſaid Sir *Humphrey Mackworth* was not indebted to the Company; but, on the contrary, that the Company was then indebted to him, the ſaid Sir *Humphrey Mackworth*, in the Sum of 8968 *l.* and upwards, as aforeſaid, for Money lent them by him to carry on their Undertaking.

4*thly*, **Reſolved**, That the Sum of 76,408 *l.* repreſented by the Accomptant (*Anthony Forty*) to be received by Sir *Humphrey Mackworth* to the Company's Uſe, being charged on the Debit-ſide in the Stock-Ledger Book, appears to be diſcharged on the Credit-ſide thereof, tho' the ſaid *Anthony Forty* took no Notice of the ſaid Diſcharge; and that even in caſe the ſame had not been ſo diſcharged, yet Sir *Humphrey Mackworth* was not juſtly chargeable therewith, for that the Company had always a Treaſurer or Caſhier, who received and paid all Monies on the Company's Account, and gave Security for the faithful Diſcharge of his Truſt.

5*thly*, **Reſolved**, That it appears by the Affidavit of *William Shiers*, Secretary, that the Committee of Management in the Year 1709, gave in their Accounts to the Court of Directors for the Time being; and that the ſame have been examined and allowed by ſeveral Courts of Directors, and the Balance thereof received and placed in the Company's Iron Cheſt; and that the Proceedings and Accounts of the Committee of Management, given in by Sir *Thomas Mackworth*, have been allowed by the Company in a General Court; and the remaining Stock in Truſt for the Company's Uſe, appears to have been diſtributed to the Company in the general Diviſion of Shares; and therefore that the ſaid Sir *Thomas Mackworth* is, and ought of courſe to be diſcharged of the ſaid Truſt and Stock.

6*thly*, **Reſolved**, That after the ſtricteſt Examination they could make, it does not appear that Sir *Humphrey Mackworth* gave any Order to Mr. *William Shiers*, formerly Secretary to this Company, to make any Alteration or Amendment in an Order of the Court of Directors, dated the 12th of *April*, 1709, relating to the Accounts of the Committee of Management, given in by Sir *Thomas Mackworth*; but, on the contrary, it appears by the Company's Books, and by the Affidavit of the ſaid *William Shiers*, made before *Samuel Keck*, then Maſter in Chancery, that Sir *Humphrey Mackworth* was (at the Time when the ſaid Order was ſo amended) gone into the Country; and farther, that the ſaid Alteration was not of any Moment to the Company, it being only in the firſt Draught of the ſaid Order in the Waſte-Book, and not in any engroſſed or fair Book of Orders; and the ſame Accounts therein mentioned, as far as related to the ſaid Committee of Management, had been before allowed by the Company in a General Court the 10th of *March*, 1708.

7*thly*, **Reſolved**, That upon the ſtricteſt Examination they could make, it does not appear that Sir *Humphrey Mackworth*, while he was Deputy-Governour, acted on any Occaſion otherwiſe than by the Authority, and according to the Orders of the Company in a General Court, or Courts of Directors, and without making any private Gain or Advantage to himſelf.

8*thly*, **Reſolved**, That it is the Opinion of this Committee, that this Repreſentation, and Reſolutions thereupon, be entered in the Company's Books, and that a Copy thereof be delivered to the ſaid Sir *Humphrey Mackworth*, for the Juſtification of himſelf, and for the Credit, Reputation and Intereſt of his Family, atteſted by the Common Seal of this Company.

9*thly*, **Reſolved**, That it is the Opinion of this Committee, that the following Advertiſement be publiſhed in the publick Prints.

THE Governour and Company of the Mine-Adventurers of England *do hereby publiſh and declare, That according to the ſolemn Determination of the Company the Firſt Day of* February, 1709, *the Company's Affairs in* London *and at* Neath, *appear alſo to them to have been managed and carried on, whilſt Sir* Humphrey Mackworth *was Deputy-Governour, with great Prudence, Conduct and Fidelity, and that the Cauſe of the Company's Misfortunes was chiefly owing to the Miſmanagement and Miſrepreſentations of* William Waller, *late Steward of the Mines.*

10*thly*, **Reſolved**, That it is the Opinion of this Committee, that the ſaid Repreſentation and Reſolutions, or any Part thereof, may be printed and publiſhed, for Sir *Humphrey Mackworth*'s Juſtification, as he ſhall think fit.

At a General Court of the ſaid Company, held at *Stationers-Hall* on the 26th of *November* laſt, 1720, The ſaid Repreſentation being read, on a Motion made, and the Queſtion put, That the Reſolutions of the ſaid Committee, contained in the ſaid Repreſentation, be again read Paragraph by Paragraph, the ſame were read Paragraph by Paragraph accordingly; and on the Queſtion put ſeverally on each Reſolution, the ſame were agreed to *Nemine Contradicente*. And thereupon it was

Ordered, That the ſaid Repreſentation and Reſolutions thereupon, be entered in the Company's Books; and that a Copy thereof be delivered to the ſaid Sir *Humphrey Mackworth*, for the Juſtification of himſelf, and for the Credit, Reputation and Intereſt of his Family; atteſted by the Common Seal of this Company.

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Ordered, That the ſaid Repreſentation and Reſolutions, or any Part thereof, be printed and publiſhed for Sir *Humphrey Mackworth*'s Juſtification, as he ſhall think fit, together with the Orders of this Court relating thereto.

N. B. THAT in 1709, there were *no more than Forty-one Members who could be prevailed on to ſtay in the Houſe of Commons to make good their own Report* ex parte, *and ſupport a Scandal, That Sir* Humphrey Mackworth *had defrauded the Company of Mine-Adventurers.* But there were ſeveral Hundred Members of the Company preſent in a General Court in 1709, after hearing all Parties, and near two Years Examination; and now lately in another General Court in *November* laſt, after ten Years Examination, *to juſtify the Truth, That Sir* Humphrey Mackworth *had dealt juſtly and honourably by the Company on all Occaſions.* And it may be reaſonably believed, that the great Zeal and Haſte the Committee ſhewed to paſs that Report before Sir *Humphrey Mackworth* could come to Town, was not without *a due Regard to a particular Friend of theirs, againſt whom Sir* Humphrey Mackworth *was at that very Time ſtanding Candidate for a Member of Parliament*; and whoſe Friends in the Country had Notice of the Proſecution, ſeveral Poſts before Sir *Humphrey Mackworth* heard of it: And it might be owing to that extraordinary Haſte and Hurry, that there were ſo many very groſs Miſtakes in that Report, as appears at firſt Sight in the Books of the Company, which then lay before the Committee, and particularly by *the laſt Reſolutions and Orders of a General Court, but twelve Days before, his Grace the late Duke of* Leeds, *deceaſed, being then preſent in the Chair, and in a full Court.*

Compte de Mr Lenic Hou: 26 Nov^r
1720